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6 **UNITED STATES DISTRICT COURT**  
7 **NORTHERN DISTRICT OF CALIFORNIA**  
8 **SAN FRANCISCO DIVISION**  
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10 FELIPE R. DY, and YOLANDA B. DY,  
11 Plaintiffs,  
12 v.  
13 WELLS FARGO BANK, N.A.,  
14 Defendant.

Case No. 13-cv-00333 NC

**REFERRAL FOR REASSIGNMENT  
WITH RECOMMENDATION TO  
DISMISS WITH PREJUDICE**


Re: Dkt. No. 5

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16 Plaintiffs Felipe R. Dy and Yolanda B. Dy brought suit in federal court against  
17 defendant Wells Fargo. On April 29, 2013, this Court issued an order striking plaintiffs'  
18 complaint under Federal Rule of Civil Procedure 12(f). Dkt. No. 5. The Court gave  
19 plaintiffs thirty days to file an amended complaint that was legible and that articulated facts  
20 and claims in accordance with Federal Rule of Civil Procedure 8. Plaintiffs have not filed  
21 any amendment.

22 The Court VACATES the case management conference set for July 10, 2013.  
23 Because no party in this action has consented to the jurisdiction of a United States  
24 magistrate judge, the Court REFERS the action for reassignment and RECOMMENDS that  
25 the district court dismiss the action with prejudice.

26 IT IS SO ORDERED.

27 Date: July 8, 2013

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Nathanael M. Cousins  
United States Magistrate Judge

Case No. 13-cv-00333 NC  
REFERRAL FOR REASSIGNMENT  
WITH RECOMMENDATION